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Convention on the Elimination of All Forms of Discrimination against Women

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Committee on the Elimination of Discrimination against Women

List of issues and questions related to the combined seventh and eighth periodic reports of Peru

Addendum

Replies of Peru*

* The present document is being issued without formal editing.

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Pursuant to the combined seventh and eighth periodic reports submitted by the Peruvian State, the Committee on the Elimination of Discrimination against Women remitted the list of issues and questions adopted by the pre-sessional working group for the fifty-eighth session of the Committee, which met on October 21 to 25, 2013.

With those issues and questions in mind, the Human Rights Board of the Ministry of Justice the requested information from the following entities: the Ministry of Women and Vulnerable Groups (MIMP), the Ministry of Labour and Employment (MINTRA)m the Ministry of Health (MINSA); the Ministry of Education (MINEDU), the Ministry of the Environment (MINAM), the Attorney-General's Office (*Ministerio Público*, MP), the National Identity and Civil Status Registry (RENIEC), the National Prison Institute (INPE), and the Judiciary (PJ).

Updated information for this report was also culled from documents published by government entities, legal provisions, annual reports, studies and statistics posted on each entity's the official web portal.

Constitutional, legislative and institutional framework

1. The Committee requests information on any other legislative measures taken since the submission of the report, as well as on measures taken to harmonize the different levels of the political organization of the State party.

2. In that regard, the State party notifies the Committee that gender-related policy instruments have been developed at the regional and local level to provide a framework for promoting a shift in social and cultural patterns toward new forms of social relations between women and men, based on the National Plan to Combat Violence against Women 2009–2015 (PNCVHM)[1] and the National Plan for Gender Equality (PLANIG) 2012–2017,[2] which signals a step forward in terms of advancing the rights of women and men whose gender preference and identity is perceived to be different by establishing as strategic goals "strengthening a culture of respect for and appreciation of gender differences" and "improving women's health and guaranteeing the sexual and reproductive rights of women and men." With this latter strategic goal, the idea is that health facilities imp'ement healthcare protocols with a gender and intercultural perspective and respect for sexual preference.

[1] Ministry of Women and Vulnerable Groups, Supreme Decree No. 003-2009- MIMDES, adopts the "National Plan to Combat Violence against Women 2009–2015" (*El Peruano*: 27 March 2009). That plan regards "homophobia" as a manifestation of violence against women.

[2] Ministry of Women and Vulnerable Groups, Supreme Decree No. 004-2012-MIMP, adopts the "National Plan for Gender Equality 2012–2017" (*El Peruano*: 18 August 2012).

3. Both Supreme Decrees also foster joint and concerted actions aimed at ensuring the full enjoyment of women's rights.

4. Regional provisions include:

a. Regional Ordinance N° 170-2013-GRJ/CR, of the regional Government of Junín, adopting the Regional Plan for Gender Equality 2013-2017 of November 13, 2013.[3]

b. Regional Ordinance N° 025 - 2013- GRA/CR of 20 December 2013 aimed at "institutionalizing gender mainstreaming in all areas and procedures of the Ayacucho Regional Government administration."[4]

c. Regional Ordinance N° 016-2011-GRSM/CR of 26 May 2011, adopting the "Regional Equal Opportunity Plan (PRIO) 2011-2015"[5] for the San Martin Region.

5. Notable municipal provisions include:

a. Municipal Ordinance N° 259-2012-MDI of the Municipality of the District of Independencia, establishing the "Gender Equality Plan" (PLIG) 2011 – 2015 in the District of Independencia", adopted on 8 March, 2011.[6]

b. Municipal Ordinance N° 018-2011-MPP of 14 July 2011 of the Provincial Municipality of Pacasmayo, declaring that it is local government policy to combat discrimination and domestic and sexual violence.[7]

c. Municipal Ordinance N° 167-MVMT of the Municipality of the District of Villa María del Triunfo, establishing the "District Plan to Combat Violence against Women 2013 – 2016", adopted on 19 July.[8]

6. Monitoring and Evaluation of the National Plan for Gender Equality 2012–2017 (PLANIG)[9] is entrusted to the Ministry of Women and Vulnerable Groups (MIMP). This monitoring responsibility derives from the framework law on the modernization of the State, Act No. 27658, which institutionalized the auditing of results-based management, by using modern technological resources (Article 5.f), and established the requirement that the management and use of public resources in Public Administration be subject to measurement of the fulfilment of its functions

[3] Regional Government of Junín. Regional Ordinance N° 170-2013-GRJ/CR, of 13 November 2013.

[4] Regional Government of Ayacucho. Regional OrdinanceN° 025-2013-GRA/CRof 20 December 2013.

[5] Regional Government of San Martin. Regional OrdinanceN° 016-2011-GRSM/CR, 26 May 2011.

[6] Municipality of the District of Independencia. Regional Ordinance N° 259-2012-MDI, of 8 March 2011.

[7] Provincial Municipality of Pacasmayo. Municipal Ordinance N° 018-2011-MPP, of 14 July 2011.

[8] Municipality of the District of Villa María del Triunfo. Municipal Ordinance N° 167-VMT, of 19 July 2013.

[9] Ministry of Women and Vulnerable Groups, supra, note 2. That Supreme Decree sets eight strategic goals, with 60 policy outcomes, for which the ministries, regional governments, and autonomous constitutional bodies are responsible in different ways.

and consequent achievement of results and to period evaluation of those results (Article 7).

7. To that end, the National Gender Indicators System (SNIG) was put in place in June 2013, as a tool that will make it possible to follow up on, monitor, and evaluate the country's public policies on gender equality, with a view to safeguarding the human rights of women and men and the development of their full potential. This system provides for indicators of gender equality and of the accountability of the various public institutions within their spheres of competence. It will provide timely, accurate and high-quality information regarding progress made with those policies through periodically consolidated reports, and at the same time facilitate decision-making in connection with the gender equality policies derived from the Act on Equal Opportunities for Women and Men (Act N° 28983), PLANIG 2012-2017 and other provisions on the subject.

8. One of the PLANIG results indicators, included for periodic monitoring in the SNIG, is the percentage of government entities that have budgeted for at least one intervention aimed at narrowing gender gaps (Outcome 1.2); the goal for 2017 is that 50% of government entities, including the Executive, Judicial and Legislative branches and the Autonomous Constitutional Bodies budget for interventions of this kind. With that in mind, the MIPM has been implementing, since 2013, programs that are gradually developing the skills of officials, technical staff and authorities in the different sectors and government bodies, as well as in regional and local governments.

9. As regards measures taken to increase budget allocations for the implementation of gender policies in the State party, we should point out that, through the MIMP, the State party is conducting training courses at the subnational level to achieve gender mainstreaming in regional planning, in the results-based participatory budget, and throughout the budget cycle (programming, formulation, execution, and evaluation phases); the goal being to induce subnational governments to build the gender perspective into the entire regional development planning process and to programme and execute budgetary resources in such a way as to narrow and/or eliminate gender gaps and enhance gender equality between men and women.

10. Furthermore, to ensure women's participation in the development and implementation of development programmes, the State party wishes to notify the Committee of the establishment of the National Council of Peruvian Women, comprising regional women's councils; national or regional women's organizations, grassroots social organizations; youth, student, or older persons' associations, displaced women's organizations, and other institutions. Its functions include building consensus around policies for achieving gender equity and the advancement of women, preparing and putting forward draft legislation within its sphere of competence, and conducting research into policies and legal provisions on gender equity and equal opportunity.[10]

[10] Ministry of Women and Vulnerable Groups. Ministerial Resolution N° 439-2011-MIMDES, establishes the National Council of Peruvian Women (*Consejo Nacional de la Mujer Peruana*) as a forum for social dialogue and consensus building with respect to policies for gender equity and the advancement of women and for enhancing opportunities for Peruvian women to develop at every stage of their life cycle. (*El Peruano*: December 6, 2012).

Access to Justice

11. With regard to the fourth issue raised by CEDAW, the State party, through the Judiciary (PJ), has been promoting measures to mainstream the gender perspective in the latter's work. Thus, the Judiciary has organized a number of training activities and meetings, primarily targeting judges on active duty and its own staff, on gender violence and women's access to justice system services.

12. The figures are encouraging. From 2012 to 2013, eight activities were carried out: five of them in the Judicial District of Lima[11] and three in the provinces.[12]

13. It is worth noting that, according to the Demographic and Family Health Survey, ENDES 2012, 27.3% of women victims of violence sought assistance from one institution or another, including the Judiciary. That figure represented an 11.2 percentage point increase over 2009.[13]

National machinery for the advancement of women

14. Since early 2012 the MIMP[14] has been structured in such a way as to emphasize and facilitate action on policies to achieve equality between women and men. Thus, to perform its functions pursuant to the legislative decree recognizing its leading role, the Vice Ministry of Women is responsible for wielding two public policy tools specializing in equality and the eradication of all forms of violence against women: the National Plan for Gender Equality and the Nation Plan to Combat Violence against Women. Both tools entail multi-sector commitments at every level of government derived from a participatory process that brought government bodies and civil society together and now yield concrete results geared, in the medium term, to guaranteeing women's rights.

15. It also runs three General Directorates and a National Programme:

a. Directorate of Gender Equality and Non-Discrimination (DGIGND), the regulatory technical body responsible for directing, coordinating, overseeing, and evaluating management of public policies for gender equality and non-

[11] i) Seminar/workshop.: Documentation of psychological evidence in cases involving victims of sexual and domestic violence and torture. (21 January 2012); ii)) Seminar/workshop: Gender-related violence and legal protection mechanisms (23 and 24 October 2012); iii) Two Series of Meetings called "Por una justicia inclusiva, hacia la protección efectiva contra la violencia y los crímenes de odio por orientación sexual e identidad de género en el Perú" [The quest for inclusive justice: toward effective protection against violence and sexual preference and gender identity-related hate crimes in Peru] (10 and 12 December, 2012); and iv) Seminar: Reconciliation and Human Rights: A task still pending for Peruvian society.

[12] The series of meetings entitled "The quest for inclusive justice: toward effective protection against violence and sexual preference and gender identity-related hate crimes in Peru" took place in the judicial districts of Ica, La Libertad and Lambayeque, on January 31 and March 6 and 8, respectively.

[13] National Institute of Statistics and Information Science (2012). National Demographic and Family Health Survey. Consulted on January 24, 2014. <http://proyectos.inei.gob.pe/web/biblioineipub/bancopub/Est/Lib1075/index.html>

[14] The Ministry of Women was re-structured by Legislative Decree No. 1098 and is now called "Ministry of Women and Vulnerable Groups". That Decree establishes it as the lead agency for national and sectoral policies for the advancement of women, as well as the promoter and protector of vulnerable groups.

discrimination. It is responsible for follow-up on two management tools: the National Plan for Gender Equality and the National Gender Indicators System.[15]

b. General Directorate of Gender Mainstreaming (DGTEG), the regulatory technical body responsible for directing, coordinating, overseeing, and evaluating mainstreaming of the gender perspective in the design and management of national and subnational public policies. The goal is for the entire public sector to take into account the differences in the impact of any planned action, be it legislation, policies or programmes, on women and men.[16]

c. General Directorate to Combat Violence against Women (DGCVG), the regulatory technical body responsible for directing, coordinating and evaluating public policies for preventing, responding to, punishing and eradicating violence against women (physical, sexual, psychological, and economic). As such, it is responsible for follow-up on the National Plan to Combat Violence against Women.[17]

d. National Programme against Family Violence and Sexual Abuse (PNCVFS), which, first, engages in activities aimed at preventing violence and promoting democratic relations between men and women; second, provides specialized care in cases of domestic and sexual violence; and, finally, generates information and knowledge regarding the problem. To accomplish its goals, the Programme has the Comprehensive Prevention and Promotion Unit to Address Domestic and Sexual Violence (UPPIFVFS), the Comprehensive Care Unit for dealing with Domestic and Sexual Violence (UAIFVFS) and the Unit for Generating Information and Knowledge (UGIGC).

16. Core services under the Programme include the "Women's Emergency Centres" (CEM), offering comprehensive legal guidance, judicial defence, and psychological counselling services aimed at helping victims recover and providing social welfare. Also worth noting are the Dial 100 (*Línea* 100) helpline, providing a 24/7 containment and guidance service by coordinating with, contacting, and/or deriving possible victims to the appropriate agencies; the Urgent care Facility (SAU), which intervenes immediately, effectively, and appropriately in cases of imminent risk of domestic and/or sexual violence; and Chat 100, which provides on-

[15] This General Directorate includes both the Directorate of Gender Equality and Non-Discrimination Policies (DPIGND, which is the body that formulates, executes and monitors national and sectoral policies on the subject, and the Directorate for the Promotion and Protection of Women's Rights (DPPDM), which executes and monitors national and sectoral policies for the protection and promotion of women's rights, especially the rights to citizenship, autonomy, and participation in the public sphere.

[16] This General Directorate includes both the Directorate of Sectoral and Inter-agency Coordination (DASI), which coordinates with the different sectors and constitutionally autonomous entities, and the Directorate of Coordination with Regional and Local Governments (DAGRL), which coordinates with both.

[17] The General Directorate includes two Directorates: the Directorate of Policies for a Life free from Violence (DPVLV), which formulates, executes and monitors national and sectoral policies against gender-related violence and prepares standards, guidelines, directives, and manuals for their design and implementation, and the Directorate of Technical Assistance and Promotion of Services (DATPS), which proposes technical guidelines for operating, managing, supervising and evaluating public and private care facilities for victims of gender violence.

line guidance and advice to help adolescents and youth identify the first signs of violence and prevent it from the time they fall in love or become partners.

17. For their part, promotional preventive actions cover a number of groups. In community-based basic education, for instance, there is an Outreach Workers Training Programme on Domestic and Sexual Violence to train early childhood education, primary and secondary school teachers to detect and derive cases and conduct preventive activities in their institutions. In higher education, university groups are being trained to encourage preventive actions in academic institutions. There is also a community-based Facilitators in Action Training Programme which actively engages the leaders of social organizations in actions designed to prevent domestic and sexual violence. That activity is linked to the House by House Campaigns, which is a community intervention strategy aimed at detecting and deriving possible cases of violence and publicizing the services provided by the Women's Emergency Centres. In addition, the National Programme conducts training activities for key players in efforts to combat violence, such as justice system personnel.

18. As regards the human and financial resources of the MIMP, and the gender composition of its staff, detailed information can be found in the Tables in Annex N°1.

19. As the lead entity on matters relating to discrimination against women, the MIMP receives and responds to complaints about acts of discrimination through the various programmes it runs for citizens. Issues found to be recurrent in its dealings with cases of discrimination determine the main lines of the sector's strategies aimed at generating structural reforms for the protection of women's rights.

20. Cases brought to the attention of the MIMP and handled by the General Directorate of Gender Equality and Non-Discrimination are listed in Annex N°2.

21. As for indicators developed for assessing the advancement of women's rights, so far, as mentioned above, Peru has a National Gender Indicators System (SNIG): a tool for following up on, monitoring and evaluating public policies on gender equality in order to safeguard women's and men's human rights. The system's general matrix of indicators can be found in Annex N° 3.

Violence against Women

22. The institutional budget allocated to the National Programme to Combat Domestic and Sexual Violence run by the MIMP has increased significantly in the past few years. As shown below, the bulk of the financing comes under Budgetary Program 080 Combating Domestic Violence:

Budget allocated to Budgetary Program 080 Combating Domestic Violence (*)

Year	*Budget*	*% increase*
2011	N/A	
2012	37,411,803	
2013	55,631,123	49%
2014	71,867,949	29%

Source: SIAF-MPP OF THE PNCVFS AT 28/01/2014.
Presentation: PNCVF

Budget of the National Programme to Combat Domestic and Sexual Violence (*)

Year	*Total budget UE 009 PNCVFS*	*Budgetary Programme 080 Combating Domestic Violence*	*% of the total budget for Budgetary Programme 080 Combating Domestic Violence*	*% annual increase of the total budget for the PNCVFS*
2011	33,785,863	N/A		
2012	43,905,090	37,411,803	85%	30%
2013	61,381,950	55,631,123	91%	40%
2014	78,269,558	71,867,949	92%	28%

Source: SIAF-MPP OF THE PNCVFS AT 28/01/2014.
Presentation: PNCVF

* *Amounts in Nuevos Soles. Exchange rate approx.: US$1 = S/. 2.82 Nuevos Soles*

23. Challenges facing the State party in relation to violence against women include expanding the Women's Emergency Centres (CEM) to achieve nationwide coverage. That will require greater coordination with the local and regional governments regarding future management of those Centres.

24. With respect to progress on reparation to victims of violence, the Ombudsman's Office – the entity charged with following up on the recommendations of the Truth and Reconciliation Commission (CVR) – points out that, as of March 2013, the total number of beneficiaries in the First Book (individual victims) of the Comprehensive Reparations Plan (PIR) was 182,350. Of them, 106, 919 (59%) are direct victims and 75,431 (41%) are family members. Of the total number of direct victims, 37% are women. Of the family members, 57% are women: an indication of the need to strengthen the gender perspective in the reparation process.[18]

25. According to the high-level multisectoral commission (CMAN) review of progress made with implementing the PIR, since July 2011, financial reparation was awarded to 41,601 family members of deceased or disappeared persons, victims of rape and victims left with permanent physical or mental disability.[19]

[18] Ombudsman's Office. Executive Summary, Ombudsman's Report N° 162 *Informe Defensorial N° 162 "A diez años de verdad, justicia y reparación. Avances, retrocesos y desafíos de un proceso inconcluso* (Ten Years into Truth, Justice and Reparation. Progress, Backtracking, and Challenges of an Unfinished Process), p. 12. Published in 2013.

[19] Ministry of Justice and Human Rights. High-level Multisectoral Commission - CMAN. Report on Progress made with Implementing the Comprehensive Reparations Plan (PIR).

26. As regards reparation in the form of health care, the CMAN reported that, of the 146,705 people registered in the Central Register of Victims of the Violence (RUV), 139,296 have been affiliated to Comprehensive Health Insurance, a subsidized system providing nationwide coverage of all diseases, including cancer, and a burial grant. Furthermore, between 2006 and 2013, mental health care was provided to 707,938 people affected by violence in Ayacucho, Huancavelica, Junín, Apurímac, and Huánuco.

27. At the same time, through Director's Resolution N° 122-2013-JUS/DGDPAJ of 9 September 2013, the General Directorate of Public Defence and Access to Justice of the Ministry of Justice and Human Rights (MINJUS) appointed defenders specializing in human rights in the judicial districts of Apurímac, Ayacucho and Huancavelica to provide legal technical assistance to victims of the internal armed conflict, guaranteeing the free exercise of their rights before the courts.

28. Regarding the application of Act N° 29819,[20] it is worth pointing out that the criminalization of femicide in Peru constitutes a criminal policy response to the increasing incidence of gender violence.[21] The crime of femicide has been defined to punish the murder of a woman based on compliance or noncompliance with socially and culturally assigned gender roles based on stereotypes and prejudices regarding her sex.

29. Consequently, following a period in which the criminal phenomenon and the cases that went to court were evaluated, it became apparent that Act N° 29819 needed to be amended and made more comprehensive and effective. It was therefore repealed by Article 108.B of the Criminal Code.[22]

30. Thus the new characterization lists gender violence contexts, such as domestic violence, coercion, harassment, eve teasing, and the abuse of authority, trust or any other position or relationship conferring authority on the perpetrator, as well as other settings. Consequently, the new categorization enables justice system operators to provide more effective guarantees of access to justice.

31. According to data from the Crime Observatory in the Attorney-General's Office, the number of cases of femicide has fallen since 2011, the year when Act N° 29819 including the crime of femicide in the Criminal Code came into effect. Indeed, 120 cases were reported in 2011 and by September 2013 the figure had fallen 62%.

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[20] Act N° 29819, amending Article 107 of the Criminal Code to include the crime of femicide. (*El Peruano*: December 27, 2011)

[21] Attorney-General's Office. Crime Observatory. Femicide statistics according to the victims' profiles and those of the alleged perpetrators. January 2009 - September 2013. Consulted on: 6 February 2014. <http://www.mpfn.gob.pe/descargas/observatorio/estadisticas_/20131112085758138426467818824.pf>

[22] Act N° 30068, incorporating Article 108-A of the Criminal Code and amending Articles 107, 46-B and 46-C of the Criminal Code and Article 46 46 of the Penal Enforcement Code (*Código de Ejecución Penal*), with a view to preventing, punishing and eradicating femicide. (*El Peruano*: 18 July 2013 – Fe de erratas: 19 July 2013).

Statistics on cases of femicide[23]

Crime Observatory in the Attorney-General's Office – January 2011 – September 2013		
2011 Jan.–December	*2012 Jan.–December*	*2013 Jan.–September*
120	99	46

Source: Crime Observatory in the Attorney-General's Office

Participation in political and public life

32. The Committee requests information on the challenges faced by the State party to meet the established quotas for women in decision-making positions in public institutions and refers to bill N° 268-2011-JNE regulating the implementation of the gender quota in elections and proposing that the specific quota for women be set in accordance with its affirmative action status. That bill is currently before the constitutional and regulatory commission of Congress, awaiting admission for debate by the Plenary.

33. Without prejudice thereto, we must mention that the Peruvian State is constantly concerned to promote the political participation of women, as well as their participation in electoral processes. Thus, on 30 November 2012, at the initiative of the Ministry of Women and Vulnerable Groups, the Executive submitted bill N° 1779/2012-PE, which proposes alternating between men and women candidates on ballots from the top down and maintaining the gender quota (30%) for lists of candidates for the Congress of the Republic, Regional Councils, Municipal Councils, and for supervisory posts and candidacies for elective positions in political organizations. The bill also proposes eliminating the preferential vote in the election of members of Congress, because it could annul the effect of quotas and alternation. The bill has been before the Commission on Women and the Family since June 2013.[24]

34. The aforementioned bill on electoral alternation proposes:[25]

a. Alternating between men and women candidates on ballots from the top down (man-woman or woman-man. This task will be performed by the political organization itself.

b. Alternation must be applied to no fewer than thirty percent (30%) of the men or women on the lists of candidates.

c. Alternation will be applied to both principal and alternate candidates, where applicable.

d. In regional and municipal elections, alternation will be applied to the lists of candidates for the Regional Council and Municipal Council, respectively, from the top position (man or woman), which will be determined by the political organization itself, and for both principal and alternate candidacies.

[23] Attorney-General's Office. Official Letter N° 69-2014-FSPNC-MP-FN dated 21 January 2014.

[24] Congress of the Republic. Regular Meeting N°18 of the Commission on Women and the Family, 2012-2013 Annual Session. Second Regular Legislature, 12 June 2013.

[25] Ministry of Women and Vulnerable Groups. Document entitled *Alternancia de Género, Realidades y Desafíos de la Participación Política de las Mujeres* (Gender Alternation, Realities and Challenges of the Political Participation of Women. MIMP, 2013, p. 9.

e. The lists of candidacies for supervisory positions within the political organization, as well the candidacies for elective positions, will show men and women alternating from the top down, beginning with the gender chosen by the political group.

Nationality

36. Regarding measures taken to ensure the provision of identity documents to women in the State party's territory, we must mention that two fundamental objectives were proposed in the National Plan for the Restitution of Identity (PNRI 2005 – 2009: (i) documenting the undocumented Peruvian population, with an emphasis on persons living in poverty and in vulnerable circumstances; and (ii) preventing lack of documentation in the Peruvian population. Five years after the entry into force of the PNRI 2005 - 2009), and after ordering and systematizing the information culled in that lapse of time, there is evidence that 85.61% of the Plan's objectives and goals have been accomplished.[26]

Accomplishment of the General Objectives of the National Plan

General objectives	*Average accumulated progress*	*Weighting*	*Weighted accumulated progress*
1 Document the undocumented Peruvian population, with an emphasis on persons living in poverty and vulnerable circumstances	85.49	80%	68.39
2 Prevent lack of documentation in the Peruvian population	86.11	20%	17.22
	Achievement of the Plan	100%	85.61

37. As the entity responsible for the country's national identity system, RENIEC prepared Peru's National Plan for the Restitution of Identity (PNPCI 2011-2015) as an immediate supplement to the PNRI 2005-2009 in order to reduce the gap between the documented and the undocumented to a minimum.

38. The PNPCI 2011-2015 envisages a series of actions to be undertaken jointly with Government, private, and civil society entities to ensure that vulnerable groups, including women, have access to documentation. Those actions will be imbued with gender, rights, and intercultural perspectives calling for equity between men and women, as well as respect for and appreciation of diversity and differences."[27] The Plan adopts the gender perspective as a crosscutting theme in the implementation of affirmative action measures helping to close the gap caused by discrimination against women, particularly in Peru's rural and more remote areas. This approach highlights the symbolic, social and cultural implications for the lives of women and men of being given or denied access to registration and documentation as citizens, whereby it must be borne in mind that this difference in the way human beings are treated produces social inequalities that are more detrimental to women than to men.[28]

[26] Cf. National Identity and Civil Status Registry – RENIEC. *Plan Nacional Perú contra la Indocumentación 2011-2015* (Peru's National Plan for the Restitution of Identity 2011-2015), adopted by Director's Resolution N° 548, p. 125. (*El Peruano*: 18 January 2011).

[27] Ibid., p.17.

[28] Ibid., p. 80.

39. The baseline figure used to set the targets for the PNPCI 2011-2015 is that there are 4,719,961 people, including minors, without a National Identity Document (DNI). With a view to narrowing today's social gap, the idea is give priority to providing a DNI to the 4,534,371 Peruvians within that group who are classified by the Cooperation Fund for Social Development (FONCODES) as extremely poor, very poor and poor, who represent the first, second, and third quintiles of the poverty map, respectively. In addition, the plan is to issue birth certificates to 277,628 people.[29]

Adults and minors without a National Identity Document (DNI)

Persons	*Men*	*Women*	*Total*	*%*
Adults	55,977	73,019	128,996	2.73
Minors	2,333,891	2,257,074	4,590,965	97.27
Total	2,389,868	2,330,093	4,719,961	100

Table prepared by the technical team in the Office of the Assistant Manager for the Restitution of Identity – GRIAS, based on projections made by the Office of the Assistant Manager of Statistics – RENIEC.

Education

40. Regarding measures taken by the State party in the educational sphere, CEDAW requests (i) data disaggregated by sex on the dropout rates at all education levels, in particular in rural areas;(ii) information on specific measures taken to reduce the dropout rates of girls, especially when dropping out results from adolescent pregnancies; (iii) information on measures taken to eliminate discrimination against disadvantaged groups of girls and young women in the field of education; (iv) measures taken to include comprehensive, innovative, more effective and age-appropriate programmes on sexual and reproductive health and rights as a regular part of the school curriculum, targeting adolescent girls and boys, including in vocational training schools, with the aim of fostering responsible sexual behaviour and preventing teenage pregnancies and sexually transmitted infections, including HIV; and (v) information on measures taken to improve literacy and school completion rates in the State party, in particular among indigenous women and girls.

[29] Ibid., p. 49.

41. The following data are available regarding the dropout rate at all levels of education:

Dropouts by area and sex 2012

	Area		*Sex*		
Educational level	*Urban*	*Rural*	*Male*	*Female*	*Total*
Initial	19374	5682	13308	11748	25056
Primary	44215	29630	40295	33550	73845
Secondary	72134	22702	52160	42676	94836

Percentage of dropouts by area and sex 2012

	Area		*Sex*		
Educational level	*Urban*	*Rural*	*Male*	*Female*	*Total*
Initial	1.9%	2%	2%	1.8%	1.9%
Primary	1.7%	3.4%	2.3%	2%	2.1%
Secondary	3.9%	8.3%	4.9%	4%	4.4%

Source: Ministry of Education (MINEDU).

42. As for specific measures taken to reduce the dropout rates of girls, the Ministry of Education (MINEDU) has been drawing up the National Curricular Framework (MCN), which establishes what every pupil has a right to learn during her or his time at school. That core learning process --"Acts and interacts confidently and ethically and take good care of his or her body– All pupils go about their daily lives safely and confidently, looking after and cultivating their bodies and setting themselves ever new goals for their personal development, while being able to establish healthy relationships with others and to overcome challenges in an ethical manner" – develops the following skills:

a. Skill No. 1 "Identity and self-esteem". "Acts in a variety of contexts and situations with self-esteem, demonstrating a sense of identity, self-knowledge, the ability to identify her or his needs or emotions and to exercise self-control, and readiness to keep growing."

b. Skill No. 2: Ethics- "Takes ethical decisions when faced with different junctures in life, based on his or her own judgment, taking into account both self-interest and the interests of others and taking responsibility for the consequences of the options chosen."

c. Skill No. 3: Interpersonal relations –She or he relates and communicates naturally with others, taking into consideration their states of mind, temperament, motivations and abilities, establishing and maintaining healthy social relationships, and choosing to play constructive parts in groups.

d. Skill No. 4: A healthy body and health lifestyle- "He or she takes good care of and cultivates his/her body in all its dimensions, moving around confidently and fully aware of sensations and possibilities, as well as pursuing a healthy lifestyle, based on appropriate nutrition and hygiene and preventive practices."

43. In addition, the MINEDU approved the National Educational Curriculum (DSN) and the Regulations governing Regular Basic Education (EBR), which

incorporate sex education as: (i) a cross-cutting theme of the curriculum; (ii) basic content in curricular assignments; and (iii) one of the programmes to be implemented in the educational system.

44. Precisely as one of the programmes to be implemented in the educational system, sex education is imparted through mentoring and educational guidance, defined as social, emotional and cognitive assistance to pupils for formative, promotional, and preventive purposes, as stipulated in Article 39 of the implementing regulations of the General Education Act.[30]

45. Likewise, with a view advancing knowledge, analysis and development of the Educational Guidelines and Pedagogic Counselling for providing Comprehensive Sex Education, Directive N° 014-2012-MINEDU/VMGP, "Standards and Guidelines for the 2013 School Year in Basic Education" indicates that mentoring needs to envisage practical forms of social and emotional support for pupils.

46. Along the same lines, Ministerial Resolution (R.M.) N° 0622-2013-ED, entitled "Standards and Guidelines for the 2014 School Year in Basic Education", recognizes that school counselling should be geared to addressing situations in which pupils' rights are violated, including adolescent pregnancy and paternity.

47. Regarding measures taken to eliminate discrimination against disadvantaged groups of girls and young women in the field of education, the Multisectoral Commission on Rural Girls' Education was established by Supreme Decree N° 001-2003-ED and charged principally with ensuring compliance with the objectives and strategies of Act N° 27558, the Rural Girls' Education Act.

48. Intersectoral coordination is one of the strategies designed to bring about substantial changes in the direction of eliminating educational gaps. Consequently, legislation to ensure gender equity in rural areas includes:

a. The General Education Act, N° 28044, which recognizes that education must be provided without gender discrimination.

b. The Rural Girls' Education Act, N° 27558, which advocates public policies to guarantee education with equity and quality.

c. The Equal Opportunities Act, N° 28983, which guarantees women's and men's rights and requires the eradication of all forms of discrimination.

d. The General Budget Act, N° 28411, which envisages a gender equity approach in the preparation of budgets.

49. At the same time, an effort is being made to promote the "Paths to Learning" (*Rutas de Aprendizaje*), or teaching guidelines, which include a gender perspective, for the 350,547 teachers at all levels of the educational system. Proposed improvements in urban secondary education, rural education, alternating (work-linked) secondary education and training, and tutorial-system secondary education are also helping rural girls enter, stay in, and complete school programmes.

50. For those entering a teaching career, the graduation profile in the National Basic Curricula requirements (DCBN) considers the following performance criteria:

[30] Executive Branch. Supreme Decree N° 011-2012-ED, Implementing Regulations of Act N° 28044, General Education Act (El Peruano: 7 July 2012).

a. Preservation and enhancement of physical, mental and social health.

b. A responsible approach to caring for one's health and avoiding self-medication.

c. Conservation and stewardship of the environment so as to enhance quality of life.

51. These criteria are built into the various areas covered by the DCBN and touch on reproductive health issues. Thus, each teacher, depending on the context, adapts the contents to the needs of each locality and region.

52. Implementation of the DCBN does not include matters relating specifically to responsible sexual behaviour to effectively prevent teenage pregnancies and sexually transmitted infections, such as HIV. Nevertheless, higher education institutions with teacher training programmes do include institutional projects tailored to particular contexts in their syllabus as part of the curricular diversification process.

53. As for measures taken to improve literacy and school completion rates, in particular among indigenous women and girls, the MINEDU has worked on both aspects:

a. Improvement of literacy rates

i. Literacy programmes have been extended from six to eight months, in order to raise students' learning goals and reduce the number of those who fail the tests.

ii. The first six months are devoted to developing basic reading, writing, and mathematical skills, while the last two are used to boost those students who had difficulty acquiring those skills in the first six months.

iii. The literacy programmes are held at the district level, through so-called "Learning Circles."

iv. Those attending the "Learning Circles" live and work nearby, so as to minimize travel and facilitate attendance.

v. The educational authorities enter into strategic partnerships with the local authorities and community organizations so as to help improve the literacy programme.

vi. The teaching materials are prepared and designed in accordance with the students' educational needs and level of understanding.

vii. In jungle and highland communities, with a view to facilitating communication between teachers and students, the teacher-facilitators are from the area or specialists in native languages.

b. School completion

i. The "Learning Circles" are held from April to November, so as to avoid the rainy season and absenteeism in the classroom.

ii. The students are periodically evaluated to verify what they have learnt. Those evaluations are recorded in the Learning Circles

Information System (SICA), which therefore provides up-to-date information on how the program is working.

iii. SICA compares its data with the National Identity and Civil Status Registry (RENIEC), in order to avoid duplication and interference with the student register.

iv. SICA allows the MINEDU to have reliable information on the literacy rates and schooling levels of those registered.

Employment

54. Regarding measures taken to facilitate women's access to the formal labour sector and for the protection of labour rights, we should mention that Ministerial Resolution N° 203-2012-TR of 16 August 2012 approved the Directive entitled "Provisions for the Verification of Compliance with Business Owners' Obligations with respect to Training Facilities in the Workplace", which contains technical criteria for inspection procedures under Act N° 28518 on Training Facilities in the Workplace, in order to protect against distortions in the interpretation/implementation of contracts, including those entered into by women.

55. In addition, Ministerial Resolution N° 159-2013-TR, of 11 September 2013, approved the document entitled "Guide to Best Practices for Equality and Non-Discrimination in Access to Employment and Jobs"[31], one of the objectives of which is to foster effective enforcement of the non-discrimination and equal treatment and opportunities mandate in access to employment and jobs, and to help ensure that employers and employment agencies take steps to prevent discriminatory practices and violations of equal treatment and equal opportunity in access to employment and jobs.

56. With respect to forced labour, the Peruvian State is continuing its efforts to eradicate this intolerable form of work. Accordingly, Supreme Decree N° 020-2012-TR approved the "Rules and Regulations Governing the Operations of Private Employment Agencies" in order to regulate the job placement business within Peru and abroad, which has to be carried on by Private Employment Agencies. Those regulations contain the prohibitions, obligations, requirements, redemption and training rules relating to forced labour.[32]

57. Furthermore, to comply with its international commitments to eradicate forced labour nationwide, Peru adopted the Second National Plan to Combat Forced Labour on 8 June 2013. Its objectives include conducting by 2014 a reference line study showing the actual extent of forced labour in the country and carrying out in

[31] Ministry of Labour and Employment. R. M. N° 159-2013-TR, approving the document entitled "Guide to Best Practices for Equality and Non-Discrimination in Access to Employment and Jobs". (*El Peruano*: 11 September 2013).

[32] Ministry of Labour and Employment. Supreme Decree N° 020-2012-TR, approving the "Rules and Regulations Governing the Operations of Private Employment Agencies". Lima, 20 December 2012.

Article 7.- Private Employment Agencies are prohibited from:

a) Placing minors, except within the limits of and as authorized by the regulations currently in force.

b) Carrying out activities related to trafficking in persons, the smuggling of migrants, forced labour or child labour.

2013 and 2014 pilot interventions in the regions where forced labour appears to be most common.[33]

58. At the same time, we should mention that the Peruvian State is taking the following steps through the Ministry of labour and Employment (MTPE):

a. Preparation of the Sectoral Strategy for Equal Employment Opportunity, which includes gender and female domestic workers in its ambit of protection.

b. Guide to Best Practices for Equality and Non-Discrimination in Access to Employment and Jobs, adopted by Ministerial Resolution N° 159-2013-TR.

c. Pilot scheme and Guidelines for validating a methodology on objective evaluation of jobs pursuant to ILO Convention No. 100 concerning equal remuneration for men and women workers for work of equal value.

d. Plan of Action to Promote Compliance with the Labour Rights of Domestic Workers, adopted by Ministerial Resolution N° 221-2013-TR. Implemented since March 2013.

e. National Occupational Safety and Health Plan 2014-2017, promoted on behalf of workers and protecting them against risks to procreation.

f. Draft Guidelines on Actions in the Workplace to Deal with Sexual Harassment.

g. Draft Guidelines on Best Practices for Reconciling Work and Family Life

59. With respect to the legal framework for protection of maternity, we must point out that Act N° 26644 on maternity leave was amended by Act N° 29992, which establishes a 30-day extension of postnatal leave in cases of births of children with disabilities.[34]

60. On the specific subject of domestic workers, the Ministry of Labour's General Directorate of Fundamental Labour Rights and Occupational Health and Safety has put together a Plan of Action for promoting compliance with the labour rights of domestic workers,[35] the purpose of which is to ensure and promote the labour rights of this group of workers.

61. The Plan's core focus is on the following:

a. Strategic Focus 1: Counselling and dissemination

Specific goal 1.- To promote answers to inquiries and dissemination of labour regulations in force, along with counselling for domestic workers.

b. Strategic focus 2: Compliance-Monitoring

Strategic Goal 2.- To raise awareness of the social and labour rights of domestic workers and verify full and immediate compliance with them.

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[33] Ministry of Labour and Employment. Supreme Decree N° 004-2013-TR, adopting the Second National Plan to Combat Forced Labour 2013 – 2017. (*El Peruano*: 9 June 2013)

[34] Congress of the Republic. Act N° 29992, amending Act N° 26644 extending postnatal leave in cases of births of children with disabilities. (*El Peruano*: 7 February 2013).

[35] Ministry of labour and Employment. Ministerial Resolution N° 221-2013-TR adopting the Plan of Action to Promote Compliance with the Labour Rights of Domestic Workers. Lima, 29 November 2013.

c. Strategic focus 3: Child labour

Strategic goal 3: Improve prevention mechanisms and care for children and adolescents performing domestic labour.

d. Strategic focus 4: Forced labour

Strategic goal 4.- Improve prevention mechanisms and care for domestic workers who are victims of trafficking and forced labour

e. Strategic focus 5: Trade Unionization

Strategic goal 5.- Boost the capacity of domestic workers' organizations to defend their members.

62. In addition, pursuant to Article 3 of Ministerial Resolution N° 221-2013-TR , the General Directorate of Fundamental Labour Rights and Occupational Health and Safety has established a Working Group (which has been meeting on a monthly basis since March 2013), comprised of representatives of the Vice Ministry of Labour, the institutional units responsible for the labour sector, government and private entities involved in the subject, and, above all, representatives of trade union organizations. The purpose of this Working Group is to supervise and monitor implementation of the activities envisaged in the Plan.

63. Finally, consideration needs to be given to the subject of training courses in the case of female workers' labour rights:

a. Training workshops on "Equal Opportunity and Non-Discrimination in the Workplace" and "Women in the Workplace" were held in the Labour Ministry's "José Matías Manzanilla" Room, on Thursday, 20 June and Friday June 21, 2013, respectively. Participating in those events were officials from the DRTPE/GRTPE of Junín, Callao, Apurímac, Ayacucho, Madre de Dios, Puno, Ancash, Ica, Moquegua, Ucayali, Metropolitan Lima, Pasco, Lambayeque, La Libertad, Piura and Tumbes.

b. A training seminar on "Promoting decent work without discrimination" was organized in coordination with Regional Directorate of Labour and Employment (DRTPE) of Huánuco.

c. A training videoconference entitled "Promoting Equal Opportunity and Non-Discrimination in the Workplace" was conducted on 13 September 2013 for officials of the DRTPE of Amazonas, Apurímac and Cusco.

d. A training workshop on "Labour Rights of Women Workers" was held on 22 November 2013 in the Labour Ministry's "José Matías Manzanilla" Room.

e. Training events also served to disseminate information regarding the need for all pregnant women to comply with the obligatory HIV screening required by Act N° 28243 to reduce the risk of transmitting that virus to the baby about to be born.

f. A training session entitled "HIV/AIDS, Equal Opportunity and Non-Discrimination in the Workplace" was conducted on 3 December 2013, in coordination with DRTPE Callao, for workers, employers, trade union representatives, and the general public in the Callao Region.

g. A training workshop on "Workplace Responses to HIV and AIDS" was held on 6 December 2013 in the "José Matías Manzanilla" Room at the MTPE.

Health

64. According to the Demographic and Family Health Survey of 2012, knowledge of methods of regulating reproduction was widespread among the female population and in all segments of the population. Almost all (99.6%) of women of child-bearing age know about or have heard of some kind of family planning method, whereby the best known (to 99.5%) are the most modern methods. That figure is a slight increase (0.5%) over the 99% observed in 2009.

65. As the entity responsible for public health policies, the Ministry of Health (MINSA) has expanded the range of contraceptives and introduced new methods, such as monthly injections, female condoms, and contraceptive implants in 16 pilot establishments in the regions of Ucayali, Ayacucho, Lima's southern and eastern cones, Metropolitan Lima and La Libertad. Results indicators show that thanks to the ample dissemination of contraceptive methods, their use increased by 2.8 percentage points between 2009 and 2012 (from 75.2% to 78.0%). The increase in women of child-bearing age who had used modern methods of contraception at some point increased from 66.3% to 70.5% in the same period, while the figure for those using traditional methods increased from 54.1% to 56.2%. Injections were the most used modern method.

66. As part of the on-going policy of ensuring access to modern contraceptive methods, all health facilities in Peru have been receiving the corresponding supplies since October 2013. Family planning guidance/counselling kits have also been distributed in order to enhance the free and informed choice of modern contraceptive methods in accordance with reproduction options. Detailed information on this is shown in the Table attached as Annex 5.

67. ENDES 2012 revealed that 66.6% of adolescent girls and young women covered by the survey, who are between 15 and 19 years of age and currently living with their partners, use modern contraceptive methods, while 87.6% of sexually active adolescents use contraceptive methods: an increase over the findings of ENDES 2009. Between ENDES 1986 and ENDES 2012, the use of contraceptives increased by 29.7 percentage points, from 45.8% to 75.5%.

68. According to ENDES 2012, the State has consolidated its role as the principal supplier of modern contraceptive methods, facilitating access to them by 62% of the sexually active population. In addition, Ministerial Resolution N° 242-2009/MINSA, promulgated on 16 April 2009 adopted Health Directive N° 22-MINSA/DGPS-V01, which envisages the provision of condoms to sex workers as a means of preventing STDs and HIV.

69. The percentage of women currently living with their partners and not practicing contraception who say intend to do in future is 63.4%, 1.2% are unsure, and 35.4% are not thinking of using contraceptives. Nearly half (42.4%) of the rural population has heard family planning advertising and 14.2% have read about it.

70. In 2012, the average age at which a woman gave birth to her first child in Peru was 21.9, making Peruvian first-live-birth mothers the second oldest in a list of 11 Latin American countries (see the Table attached as Annex 6).

71. As for measures taken or planned to prevent teenage pregnancies, the National Plan of Action for Children and Adolescents 2012-2021 (PNAIA 2012-2021), adopted by Supreme Decree N° 001-2012-MIMP, establishes a 20% reduction in the

adolescent maternity rate as one of the emblematic goals for child and adolescent development in Peru. Its Strategic Goal No. 3 is: Consolidate the growth and integral development of adolescents from 12 to 17 years of age, while Expected Outcome No. 9 is: "Adolescents postpone maternity and paternity until they are adults".

72. Likewise, Decree N° 12-2013-SA, dated 6 November 2013, adopted the 2012-2021 Multisectoral Plan to Prevent Teenage Pregnancy, which involves the participation of various public sector entities and includes a work plan for 2014 aimed at preventing teenage pregnancy, particularly in the most vulnerable areas.

73. Accordingly, health-care standards for adolescents have become more specific with due recognition of the differences characterizing this age group, with respect to both sexual guidance and prevention of STDs and HIV. Thus Ministerial Resolution N° 503-2012/MINSA was promulgated on 15 June 2012, adopting Technical Health Standard N° 095-MINSA/DGSP-V.01, which establishes the Criteria and Standards for Evaluating Differentiated Comprehensive Health Care Services for Adolescents, thereby ensuring that differentiated comprehensive health care services for adolescents and clinical, non-clinical and preventive/promotional decisions meet quality standards and are geared to maximizing the satisfaction of the adolescent population. Adolescents participate in the design and implementation of these services, which abide by the principles of privacy and confidentiality.

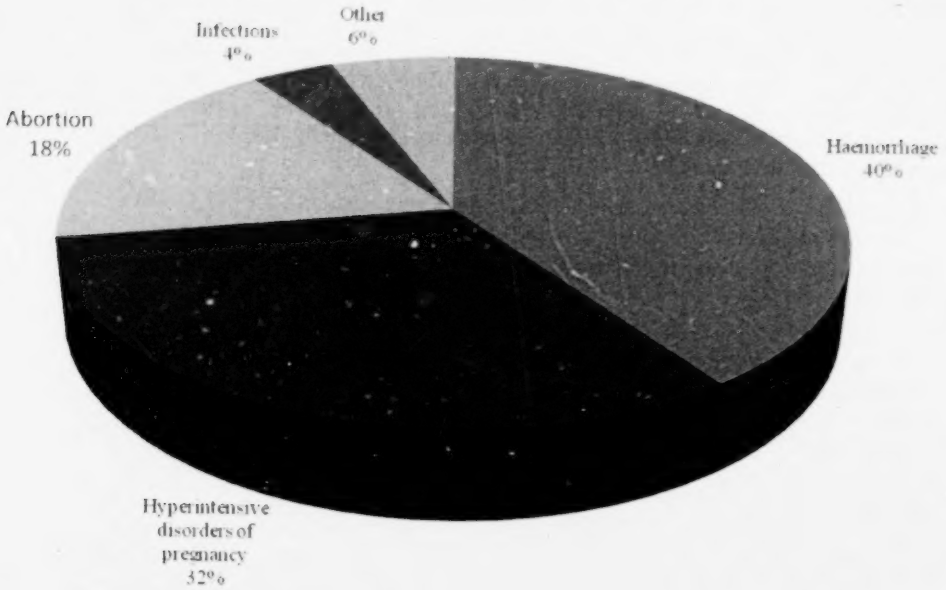
74. In addition to the above, the MINSA conducts campaigns in coordination with international organizations and public and private entities to address the issue of preventing teenage pregnancies and carried out activities designed to raise their awareness and take informed decisions.

75. Additional tools include the current National Guidelines for Comprehensive Sexual and Reproductive Health Care, which have to be followed by all health establishments in Peru. They envisage continuous enhancement of the quality of health services, including guidance and specific treatment for adolescents in both urban and rural areas.

76. Peru's Constitutional Court has also contributed to measures aimed at preventing teenage pregnancy by declaring the unconstitutionality of Article 1 of Act N.° 28704, amending Article 173.3 of the Criminal Code on the offense of rape in which the victim is between 14 and 18 years of age.

77. As regards abortion, the practice accounts for 18% of maternal mortality cases, in third place after haemorrhages (40%) and hypertensive disorders of pregnancy (32%), as shown in the following chart"

Direct maternal deaths by generic causes. Peru 2012



Source: FIEMM –NOTISP-DGE-MINSA

78. To address the issue, the decision-making powers of health facilities are being strengthened, as are the technical capacities of health care providers. New professionals are being hired for first tier facilities in the context of results-based budgeting and technical regulatory documents are being updated. The latter include the Technical Guidelines prepared by the MINSA for Comprehensive Care in cases of Voluntary Termination, based on therapeutic indication, of a pregnancy of less than 22 weeks, with informed consent.

79. Those Guidelines are being looked at by the various scientific associations involved with the list of clinical entities considered as apt for therapeutic abortions and, in a technical legal opinion remitted to the MINSA in April 2013, the Ministry of Justice and Human Rights (MINJUS) recommended that they be adopted. The MINJUS pointed out that: "the approval of the aforementioned Guidelines is not only constitutionally lawful, but constitutionally obligatory as well. Furthermore, their entry into force would enable [Peru] to address important and reiterated observations and recommendations made to the Peruvian State by both the Committee on Human Rights and the Committee on Economic, Social and Cultural Rights."[36]

[36] Ministry of Justice. Report N° 003-2013-JUD/DGDH, 29 April 2013.

Women and Development

80. As regards the place of women in the National Action Plan on Environment (PLANAA), it is to be noted that the Plan constitutes Peru's environmental policy, in which the goals are determined by the magnitude of the environmental and natural resources management problems identified in the country. The Plan also reflects changes expected by 2021 with regard to water, solid waste, air, forests and climate change, biological diversity, mining and energy and environmental stewardship, all of which are of vital importance for quality of life and the development of the country.[37]

81. Each of the goals set can be achieved through strategic actions (SA) geared to the conservation and sustainable exploitation of natural resources (forests, biodiversity, water and soils) and by providing a healthy environment (water and air quality and solid waste management).

82. As regards the place of women, it is important to point out that so far 9 regions have included the analysis of gender gaps in diagnostic assessments of vulnerability to climate change, with a view to highlighting women's role in the formulation of adaptation measures. In connection with the strategic action (SA 4.6) to reduce land degradation and mitigate the effects of drought, the technologies for sustainable land use are being promoted through rural women's federations under the Sustainable Management of Land (MST) programme.

83. The PLANAA is also fostering promotion of mechanisms for providing eco-system services (SA 4.2) benefiting both rural women living in the upper reaches of basins as "ecosystem caretakers" and women in the lower reaches in their capacity as "users of ecosystem services".

84. With respect to biological diversity, the PLANAA proposes strategic actions that directly benefit women registered as possessing organic output certificates, who account for 15% of all Peru's organic farmers (National Agricultural Census, 2012).Those strategic actions are related to the growth of Peruvian exports of cochineal, quinoa and Brazil nut, for which women constitute an important part of the production chain.

85. Finally, the PLANAA establishes strategic actions for generating social inclusion opportunities for native and subsistence farmer communities, with an intercultural and gender perspective in environmental management ("green housekeeping"); for promoting and disseminating citizen participation mechanisms for these groups; and for diminishing social and environmental conflicts (SA 7.8). This will enable women leaders to participate in coordination and decision-making bodies, such as the Regional Environmental Commissions and Municipal Environmental Commissions.

Indigenous women and women of African descent

86. At the same time, Ministerial Resolution N° 273-2012-MIMP approved the "Prevention, Care and Protection Strategy to address Domestic and Sexual Violence in Rural Areas" so that the rural population can expand its access to domestic and

[37] Ministry of Environment. National Action Plan on Environment PLANAA-PERÚ 2011-2021, adopted by Supreme Decree N° 014-2011-MINAM. (*El Peruano*: 9 July 2011).

sexual violence care, protection, and prevention services through the Women's Emergency Centres.

87. In 2013, the strategy was implemented in the rural districts of Pinto Recodo (San Martin region), Huancano (Ica region) and San Pedro de Coris (Huancavelica region), with the following results.

a. Three Local Systems for Domestic and Sexual Violence Prevention, Care and Protection in the three targeted provinces, with multisectoral action roadmaps and protocols, forged by consensus through on-going intercultural dialogue between community justice and formal justice approaches.

b. Three Multisectoral Working Groups ("*Mesas*") strengthened at the provincial level and three more formed and recognized at the district level by Municipal ordinances.

c. Eight Community Watch Systems in eight communal areas, in which the health sector, community organizations and 45 community facilitators/agents participate in the identification, derivation, and containment of cases of domestic and sexual violence.

d. Handling of 179 cases of domestic and sexual violence, 50 of which 50 were referred to competent responders within the overall system.

e. More than 1,900 people sensitized as to domestic and sexual violence issues.

f. 350 women advised of their rights.

g. 210 men trained in gender, masculinity, and gender violence issues.

h. 145 male pupils and 200 female pupils trained in domestic and sexual violence issues.

Women in detention

88. The National Prison Institute (INPE), which heads Peru's National Prison System, compiles statistics classified by sex, age group, geographical distribution, type of offense, legal status, level of education, vulnerable groups, etc. According to the latest report received from the Institute, in November 2013 the prison population totalled 67,273. Of those, 4,228 (6.28%) were women, most of whom were between 25 and 44 years of age.[38]

89. One of the groups making up the vulnerable population consists of women in detention who have children. Under Peruvian law (Article IX of the Preliminary Title of the Penal Enforcement Code[39] and Article 8° of its Implementing Regulations), inmates who are pregnant or living with their children are provided ample protection by the prison system. Moreover, Article 12 of the Implementing Regulations of the Penal Enforcement Code establishes that women in detention are

[38] National Prison Institute. Official Letter N° 015-2014-INPE/03, 31 January 2014.

[39] Penal Enforcement Code, Legislative Decree N° 654 (El Peruano: 2 August 1991).
Article IX of the Preliminary Title: Pregnant inmates or mothers and their minor children living with them shall receive ample protection from the prison system.

entitled to stay with their children in the place of detention until the latter turn three years old.[40]

90. Some women are sent to prison when they are pregnant and, when they give birth, their children become part of the population for which the prison system is responsible. There are also cases of women who become pregnant following a conjugal visit. In all such cases, Peruvian law establishes that the INPE must provide shelter, board and other services to children of up to three years of age.[41] The Table in Annex 7 shows the female population with children (classified by sex and age) for each department and place of detention. Annex 8 lists persons detained according to legal status and country of provenance.

91. As regards hygiene and sanitary conditions, and their compatibility with international standards, it is important to point out that the conditions under which women are detained are determined by Peruvian law, jurisprudence, and, as a mandatory legal framework, the Bangkok Rules[42] for the Treatment of Women Prisoners and the Minimum Standards for the Rules for Handling Detained Persons.[43] In the words of INPE, the governing body on prison affairs, " both sets of Rules establish standards or principles (like those governing rehabilitation) aimed at achieving an ideal framework in which the dignity of persons deprived of their liberty is fully respected, which presupposes that the prison administration will continuously strive to follow such Rules, despite obstacles and even mistakes along the way."[44]

92. Notwithstanding the above, with all its budgetary constraints and limited infrastructure, the State is doing its utmost to ensure appropriate conditions for comprehensive treatment of women in detention aimed at achieving their re-education, rehabilitation and resocialization, pursuant to Article 139.22 of the Political Constitution of Peru.

93. Already existing rehabilitation and reintegration programmes for women in detention and prison activities designed to facilitate their resocialization include:

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[40] Implementing Regulations of the Penal Enforcement Code, Supreme Decree N° 015-2003-JUS
Article 8.- The protection afforded pregnant inmates -including during the birth of their children-and their minor children living with them shall include medical care in public health facilities or in appropriate facilities inside prison. Arrangements shall also be made for the children to go on trips outside the prison.
Article 12.- Women deprived of their liberty have a right to remain in the place of detention with their children until the children are three years old, at which point they must be handed over to the person indicated in the regulations on the subject or, failing that, they shall be placed by due legal process in a family or other guardian institution pursuant to the Code of Children and Adolescents.

[41] According to information provided in the Prison Statistics Report of 30 November 2013, the INPE currently has charge of 209 children:10 boys and 102 girls, most of them aged between 1 and 2. The majority are located in the women's prison in Chorrillos, the Annex to that prison, and in Ayacucho.

[42] United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok Rules). Adopted during the 65th sesión of the United Nations General Assembly.

[43] Standard Minimum Rules for the Treatment of Prisoners. Approved by the United Nations Economic and Social Council in resolutions 663C (XXIV) of 31 July 1957 and 2076 (LXII) of 13 May 1977.

[44] National Prison Institute. Prison Statistics Report. August 2013, p. 22.

a. The Intervention Programme for Drug Users (Agreement between INPE and the National Commission for Development and Life without Drugs - DEVIDA), a programme that adopts a biological and psychosocial approach to drug use in the prison population.

Beneficiaries in Women's Prisons

Tacna Women's Prison	16
Arequipa Women's Prison	12
Chorrillos	25
Total	53

b. Prison work: develops and strengthens labour skills, thereby increasing inmates' likelihood of finding a job and their resocialization. Training and skills enhancement activities are listed in Annex No.9.

c. Prison education: raises the detained women's level of education as a formal process required for their personal development. It also develops vocational skills through job-related technical training. The two courses offered are Productive Technical Education (CETPRO) and Alternative Basic Education (EBA). Specifics can be found in Annex N° 10.

d. Multidisciplinary Intervention Programme: This programme is directed at the entire prison population and aims to "Develop and strengthen the prison population's social skills, prepare it for peaceful coexistence and a pro-social life style and thereby reduce the likelihood of recidivism."

e. Specialized care for children under the age of 3 living with mothers in detention. A formal early childhood education institution is in place, providing specialized care to minors, especially in the Chorrillos women's prison in Lima. Taking part in the programme are specialists from the Ministry of Health, the Ministry of Education, and other private associations.

94. These programmes advance the rehabilitation of women in detention and their subsequent reinsertion into society, as evidenced by the number of prison benefits they accrue.

Women with disabilities and other women

95. Act N° 29973, the "General Disabled Persons Act" was promulgated in December 2012, providing the legal framework for the promotion, protection and exercise under equal conditions of the rights of persons with disabilities. The gender perspective is built into this Act because its Article 4.g establishes the principle of equality between disabled women and men and Article 61 indicates that social programmes will pay special heed to women and children with disabilities.

96. The MIMP has a mechanism established by Supreme Decree N° 005-2003-MIMDES (today's MIMP) called Merit Award for Women (*Condecoración Orden al Mérito de la Mujer*) which singles out women with disabilities who have made an outstanding contribution to the defence of other women's rights. From its inception, the award aimed to recognize women with disabilities who have overcome adversity. To date, nine women have received the award.

97. For its part, the National Council for the Integration of Persons with Disabilities (CONADIS), which reports to the MIMP, runs the "I am Able" (*Soy Capaz*) programme, which aims to promote access by persons with disabilities to decent Jobs. As of 2013, 1,714 people had benefited from this programme: 611 women (36%) and 1,103 men (64%).

Women's participation in the *Soy Capaz* programme

Persons with Disabilities accessing jobs by sex and type of disability

Type of disability	*2012*			*2013*			*Grand total*
	Male	*Female*	*Total*	*Male*	*Female*	*Total*	
Auditive	87	80	167	90	45	135	302
Physical	417	197	614	287	174	461	1.075
Intellectual	54	16	70	13	7	20	90
Mental	4	6	10	33	27	60	70
Visual	87	35	122	31	24	55	177
Subtotal	649	334	983	454	277	731	1.714

Source: CONADIS.